

1 ADVOCATES FOR FAITH & FREEDOM

2 Robert H. Tyler (SBN 179572)

3 btyler@faith-freedom.com

4 Julianne Fleischer (SBN 337006)

5 jfleischer@faith-freedom.com

6 25026 Las Brisas Road

7 Murrieta, California 92562

8 Telephone: (951) 600.2733

9 Facsimile: (951) 600.4996

10 TYLER LAW, LLP

11 Emma F. Plotnik (SBN 341718)

12 eplotnik@tylerlawllp.com eplotnik@tylerlawllp.com

13 25026 Las Brisas Road

14 Murrieta, California 92562

15 Telephone: (951) 600.2733

16 Facsimile: (951) 600.4996

17 Attorneys for Petitioners Election Integrity Project California,
18 Inc., et al.

19 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

20 **FOR THE COUNTY SACRAMENTO**

21 ELECTION INTEGRITY PROJECT
22 CALIFORNIA, INC.; LARRY LEWIS, an
23 individual; COLETTE CASEY, an individual;
24 ELLEN SWENSEN, an individual; THOMAS
25 D. PAVICH an individual; and CHARLES
26 SHINN, an individual,

27 Petitioners,

28 v.

29 SHIRLEY WEBER, CALIFORNIA
30 SECRETARY OF STATE; BOB PAGE,
31 ORANGE COUNTY REGISTRAR OF
32 VOTERS; DEAN LOGAN, LOS ANGELES
33 COUNTY REGISTRAR-
34 RECORDER/COUNTY CLERK; ART
35 TINOCO, RIVERSIDE COUNTY
36 REGISTRAR OF VOTERS; AIMEE X.
37 EXPINOZA, KERN COUNTY AUDITOR-
38 CONTROLLER-COUNTY CLERK; and
39 MICHELLE BALDWIN, TULARE COUNTY
40 REGISTRAR OF VOTERS,

41 Respondents,

Case No.:

**DECLARATION OF EMMA F. PLOTNIK
IN SUPPORT OF VERIFIED
PEREMPTORY PETITION FOR WRIT
OF MANDATE**

PRIORITY ELECTION MATTER
(Cal. Elec. Code § 13314)

ACTION REQUIRED BY:
November 6, 2024

42 I, Emma F. Plotnik, the undersigned declare as follows:

1 1. I am over the age of eighteen years, and I am not a party to this action. I am a member
2 of the bar of the State of California, and I am an attorney at Tyler Law, LLP, counsel of record,
3 alongside Advocates for Faith & Freedom, for Petitioners Election Integrity Project California, Inc.
4 (“EIPCa”); Larry Lewis, an individual (“Lewis”); Colette Casey, an individual (“Casey”); Ellen
5 Swensen, an individual (“Swensen”); Thomas D. Pavich, an individual (“Pavich”); and Charles
6 Shinn (“Shinn”), an individual (and collectively “Petitioners”). I make this declaration based upon
7 my personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify
8 competently thereto.

9 2. I make this declaration in support of Petitioners’ Petition for Writ of Mandate.

10 3. I am one of the attorneys responsible for handling this case on behalf of the firm on
11 a day-to-day basis, which includes maintaining and managing the contents of our litigation file for
12 this case. I am familiar with all aspects of the pleadings that have been exchanged in this action and
13 all files were maintained in the usual custom and practice our firm has adopted for managing case
14 files.

15 4. I have reviewed a copy of the Statement of the Vote prepared by the California
16 Secretary of State for the November 8, 2022, general election. A true and correct copy of the above-
17 referenced statement is attached to the accompanying Request for Judicial Notice as **Exhibit 1**. I
18 obtained **Exhibit 1** by accessing the following URL on the California Secretary of State’s website:
19 <https://elections.cdn.sos.ca.gov/sov/2022-general/sov/complete.pdf> on or about October 22, 2024.

20 5. I have reviewed a copy of the Election Administration and Voting Survey 2022
21 Comprehensive Report prepared by the United States Election Assistance Commission Report to
22 the 118th Congress. A true and correct copy of the above-referenced report is attached to the
23 accompanying Request for Judicial Notice as **Exhibit 2**. I obtained **Exhibit 2** by accessing the
24 following URL on the United States Election Assistance Commission’s website:
25 https://www.eac.gov/sites/default/files/2023-06/2022_EAVS_Report_508c.pdf on or about
26 October 22, 2024.

